

ing Article 6341, Revised Civil Statutes of Texas, 1925, relating to the powers of railroad corporations, enlarging their charter powers, and empowering them to transport persons, property, goods, wares, merchandise, mail and any valuable thing by highway; repealing all laws or parts of laws in conflict; providing if any part is declared unconstitutional such decision shall not affect the remainder of the Act; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

**PRESENTATION OF THE  
"ST. LOUIS BROWNS"  
BALL TEAM**

In accordance with the provisions of House Simple Resolution No. 163, by Mr. Harris of Dallas, Extending privileges of the floor to the St. Louis Browns baseball team, the Speaker announced the appointment of the following committee to escort the visitors to Speaker's stand:

Messrs. Harris of Dallas, Anderson, Ridgeway, Stanford and Carrington.

The committee, having escorted the visitors to the Speaker's stand, the Speaker presented Hon. Fred Harris of Dallas County, who introduced Mr. Don Barnes, President of the St. Louis Browns baseball team, to the House, and presented Mr. Barnes with a certified copy of House Simple Resolution No. 163.

Mr. Barnes then introduced the manager of the team, who in turn introduced the various members of the team.

**ADJOURNMENT**

On motion of Mr. Manford, the House at 12:15 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

**APPENDIX**

**STANDING COMMITTEE REPORTS**

The following committees have filed favorable reports on bills and resolution, as follows:

School Districts: H. B. Nos. 797 and 804.

Appropriations: S. B. No. 326.

State Affairs: H. B. Nos. 41, 411, 495 and 543; H. C. R. No. 64.

Counties: H. B. Nos. 466, 711, 726, 727, 731, 732, 733, 735, 736, 744, 754, 756, 757, 758, 759, 775, 776, 777, 795, 798, 799 and 807.

Game and Fisheries: H. B. Nos. 760, 772, 778, 779, 780, 781, 788, 789, 794, 801, 802 and 803.

Judiciary and Uniform State Laws: H. B. Nos. 181, 220, 457 and 576.

Livestock and Stock Raising: H. B. No. 519; S. B. No. 142.

The following committees filed adverse reports on bills and resolution, as follows:

Highways and Motor Traffic: H. B. Nos. 24 and 579.

Judiciary and Uniform State Laws: H. C. R. No. 54.

**FORTY-THIRD DAY**

(Wednesday, March 26, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Burkett
Allen	Burnaman
Allison	Carlton
Alsup	Carrington
Anderson	Cato
Avant	Celaya
Bailey	Chambers
Baker	Clark
Bean	Cleveland
Bell	Coker
Benton	Colson, Mrs.
Blankenship	Craig
Boone	Crossley
Brawner	Crosthwait
Bray	Daniel
Bridgers	Davis
Brown	Deen
Bruhl	Dickson of Bexar
Bullock	Dickson of Nolan
Bundy	Donald

Dove	McCann
Duckett	McDonald
Ellis	McLellan
Eubank	McMurry
Evans	McNamara
Favors	Manford
Ferguson	Manning
Files	Markle
Fitzgerald	Martin
Fuchs	Matthews
Gandy	Mills
Garland	Montgomery
Gilmer	Moore
Goodman	Morgan
Halsey	Morris
Hanna	Morse
Hargis	Murray
Harris of Dallas	Nicholson
Harris of Hill	Pace
Hartzog	Parker
Heflin	Pevehouse
Helpinstill	Phillips
Henderson	Price
Hileman	Rampy
Hobbs	Reed of Bowie
Howard	Reed of Dallas
Howington	Roark
Hoyo	Roberts
Huddleston	Rhodes
Huffman	Sallas
Hughes	Senterfitt
Humphrey	Sharpe
Hutchinson	Shell
Isaacks	Simpson
Jones	Skiles
Kelly	Smilly of Bastrop
Kennedy	Smith of Atascosa
Kersey	Spacek
Kinard	Spangler
King	Stanford
Klingeman	Stinson
Knight	Stubbs
Lansberry	Taylor
Lehman	Thornton
Leyendecker	Turner
Little	Vale
Lock	Voigt
Love	Walters
Lowry	Wattner
Lucas	Weatherford
Lyle	White
McAlister	Winfree

Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, for the

rest of another night and the light of another day we thank Thee. In our purposes and in our actions may we please Thee today, and may the words of our mouths and the meditations of our hearts be acceptable unto Thee, O, Lord, our strength and our redeemer. For Christ's sake. Amen."

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Hardeman for today on motion of Mr. Heflin.

Mr. Dwyer for today on motion of Mr. Anderson.

Mr. Hanna for today on motion of Mr. Harris of Dallas.

The following Members were granted leaves of absence on account of important State business:

Mr. Ridgeway for today on motion of Mr. Dickson of Nolan.

Mr. Whitesides for today on motion of Mr. Hoyo.

Mr. McGlasson for today on motion of Mr. McNamara.

The following Member was granted leave of absence on account of illness:

Mr. Connelly for today on motion of Mr. Harris of Dallas.

#### HOUSE BILLS ON FIRST READING

The following House Bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Favors and Mrs. Colson:

H. B. No. 811, A bill to be entitled "An Act providing that Commissioners' Courts in all counties having a population of not less than twenty-one thousand five hundred (21,500) nor more than twenty-two thousand four hundred (22,400) according to the last available Federal Census, as same may now exist or may hereafter exist; and in all counties having a population of not less than twenty-three thousand eight hundred (23,800) nor more than twenty-four thousand (24,000) according to the last available Federal

Census, as same may now exist or may hereafter exist, shall have the power to provide facilities and financial aid to government agencies and bureaus having activities within the county; providing a saving clause; and declaring an emergency.

Referred to the Committee on Counties.

By Mr. Leyendecker:

H. B. No. 812, A bill to be entitled "An Act authorizing cities operating under a Special or Home Rule Charter and having a population of not less than thirty-five thousand (35,000) nor more than forty-five thousand (45,000) according to the last preceding Federal Census, to issue notes for the purpose of funding or refunding outstanding and unpaid warrants drawn against the General Fund for operating expense; requiring that the issuance of all of such notes shall be authorized by a vote of the qualified property taxpaying voters of such city voting at an election held for that purpose; prescribing the rate of interest such notes shall bear and the maturities thereof; providing that the full faith and credit of such city may be pledged to the payment of such notes and the interest thereon; provided, however, that only such general fund warrants issued during the calendar year prior to the calendar year in which such funding or refunding operation is performed may be funded or refunded by the issuance of such notes; and provided further that all warrants drawn against the General Fund during the calendar year in which such funding or refunding operation takes place and all warrants drawn against the General Fund in subsequent years in which such funding or refunding takes place shall be paid out of current funds appropriated for that purpose and shall never be funded or refunded; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Hobbs:

H. B. No. 816, A bill to be entitled "An Act to create road district number seven, of Lavaca County, Texas; defining its boundaries; conferring upon said road district all the rights,

powers, privileges and duties now conferred and imposed by the General Laws of Texas upon road districts; providing that any territory within the bounds of said district, as created by this Act, shall remain chargeable with any and all outstanding bonded indebtedness heretofore voted by such territory; enacting provisions incidental and necessary to the subject and purpose of this Act; authorizing and empowering the Commissioners' Court of Lavaca County, Texas, to proceed in the issuance of bonds of said district created by this Act in the manner provided by general law for the issuance of road district bonds in ordinary road districts; providing that nothing in this Act shall be construed as affecting the organization and establishment of road district number two, of Lavaca County, Texas, as created by Chapter 390, of the Special Laws passed by the Thirty-ninth Legislature of this State, at its First Called Session in 1926 (a portion of the territory of said district being included in Section 1, of this Act), but the said road district number two shall continue to operate as a defined road district over the territory included within its limits, described and defined in that certain order of the Commissioners' Court of Lavaca County, Texas, passed and adopted by said court on the 14th day of April, 1919, recorded in Book M, page 160, Et Seq., of the minutes of the Commissioners' Court of said county, and to which order reference is made by said Chapter 390, creating the said road district number two; and nothing herein shall be construed as prohibiting the territory now included within said road district number two from hereafter issuing road bonds on its faith and credit, within the limitations prescribed by Section 52, Article 3, of the Constitution of this State; and declaring an emergency."

Referred to the Committee on Counties.

Mr. Spangler asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 813.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Spangler:

H. B. No. 813, A bill to be entitled "An Act validating the incorporation of the City of Uvalde, Texas, a city having a population in excess of 5000, heretofore operating in good faith under a charter adopted September 18th, 1934, in accordance with Chapter 13, Title 28 of the 1925 Revised Civil Statutes of Texas; providing that the incorporation of the City of Uvalde shall not be held invalid on account of irregularities in the appointment of a charter commission or lack of authority to appoint such commission or on account of irregularities in ordering the incorporation election, the election proceedings, and/or the manner of submitting the charter to a vote of the electorate, and/or the failure to submit to and have the electorate vote upon the charter in separate parts, articles or subjects, and/or in including any territory in the corporate limits of said city, and/or irregularities in canvassing the returns and declaring the result of the election and/or incorporation proceedings and/or failure to comply with any provision of Chapter 13, Title 28 of the 1925 Revised Civil Statutes of Texas; and validating all governmental proceedings performed, enacted, and/or instituted and/or ordained in good faith by the governing body of the city since its incorporation or attempted incorporation, respectively and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

Mr. Anderson asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 814.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Anderson:

H. B. No. 814, A bill to be entitled "An Act to amend Article 1658, Title

34, of the Revised Civil Statutes of Texas, 1925, and Articles 2362 and 2365, Title 44, of the Revised Civil Statutes of Texas, 1925, so as to provide that contracts for the purchase by counties of supplies of stationery, books, blanks, records, and other supplies for the various officers for which the county is required to pay, shall be awarded to the party who, in the judgment of the Commissioners' Court, has submitted the lowest and best bid, and to provide that contracts to supply counties with blank books, legal blanks, and stationery as may be required by law to be furnished county officials shall be awarded to the party who, in the judgment of the Commissioners' Court, has submitted the lowest and best bid; and declaring an emergency."

Referred to the Committee on Counties.

Mr. Stinson asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 815.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Stinson:

H. B. No. 815, A bill to be entitled "An Act amending Article 6205 of the Revised Civil Statutes of 1925 as amended by the Acts of the Regular Session of the Forty-fifth Legislature, Chapter 485, page 1318."

Referred to the Committee on State Affairs.

#### ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills as co-authors of same, as follows:

Mr. Hoyo: House Bill No. 348.

Mr. McLellan, Mr. Donald, Mr. Kersey, Mr. Manning, Mr. Halsey, Mr. Bullock, Mr. Dickson of Nolan, Mr. Cato, Mr. Duckett, Mr. Voigt, Mr. Kennedy, Mr. Celaya, Miss Files, Mr. Simpson, Mr. Spacek, Mr. Lansberry, Mr. Klingeman and Mr. Moore: House Bill No. 791.

Mr. Lowry: House Bill No. 703.

**BILL RE-REFERRED**

Mr. Hileman moved that House Bill No. 767 be withdrawn from the Committee on State Affairs and referred to the Committee on Oil, Gas and Mining.

The motion prevailed.

**RELATIVE TO HOUSE BILL  
NO. 551**

Mr. Carlton was granted unanimous consent of the House to withdraw his name from House Bill No. 551.

**RELATIVE TO HOUSE BILL  
NO. 280**

Mr. Craig was granted unanimous consent of the House to withdraw his name from House Bill No. 280.

**BILLS ORDERED NOT PRINTED**

On motion of Mr. Ferguson, Senate Bill No. 147 was ordered not printed.

On motion of Mr. Leyendecker, House Bill No. 812 was ordered not printed.

On motion of Mr. Vale, House Bill No. 745 was ordered not printed.

**MESSAGE FROM THE SENATE**

Austin, Texas, March 26, 1941.  
Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 11, A bill to be entitled "An Act providing for the licensing of certain Insurance Agents; etc., and declaring an emergency."

Adopted

S. C. R. No. 34, Suspending Joint Rules relative to certain Senate Bills.

S. C. R. No. 35, Relative to congratulations extended Governor of Vermont and the Legislature of Vermont.

H. B. No. 143, Request of House granted for its return.

Passed

H. B. No. 183, A bill to be entitled "An Act to provide for and regulate the holding of runoff elections in cities and towns having a population in excess of two hundred thousand (200,000), inhabitants, etc., and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

**TO PROVIDE FOR APPOINTMENT  
OF COMMITTEE TO INVESTI-  
GATE LABOR UNIONS**

Mr. Lowry offered the following resolution:

H. S. R. No. 167, To Provide for Appointment of Certain Committee to Investigate Labor Unions and Practises.

Whereas, It is the laboring man who, as much as any individual or group of individuals, through his efforts has laid the foundation of this democracy deep in the soil of freedom and justice; and

Whereas, It is the laboring man who now, perhaps more than any citizen, business, industry, or concern, through his efforts stands as the bulwark in the preservation of our democracy by creation of the materials essential to the defense of that democracy; and

Whereas, The defense of this State and this Nation is a matter of the utmost and primary importance, and it is the duty of this Legislature, as guardians of the democracy we are endeavoring to defend and perpetuate, to provide any individual or group of individuals concerned with the opportunity for a fair, impartial, and just hearing on their actions or position, as well as to seek out and correct all abuses which may in any manner hinder, delay, or disrupt national defense, and to provide remedies therefor; and

Whereas, There are increasing charges, rumors, and allegations of improper practises among labor unions engaged in defense industries, and businesses, and in particular with reference to the charge of "racketeering" and "job selling," i. e., the charging of an exorbitant

membership fee by a union whose "closed-shop," or other, contract, or agreement with the industry or business concerned prevents the employment of any person who is not a member of such union, and which union thereafter, or subsequent to the payment of such exorbitant membership fee, causes such new member to be expelled from the union and/or discharged from his employment with such industry or business in order that the union may again receive such exorbitant membership fee from another individual seeking employment in that industry or business; and the further charge, rumor, and allegation that labor is unjustifiably and unreasonably taking advantage of the National Defense Program by calling strikes for higher wages and other reasons in industries and businesses engaged in the production of materials for the defense of this country;

Now therefore, be it resolved, That the Speaker of the House of Representatives shall, immediately upon adoption of this resolution, select and appoint a Committee for the Investigation of Labor Unions and Practises, to be composed of five (5) Members of the House of Representatives, for the purpose of investigating the practises of labor unions within this State and to ascertain in particular whether the aforesaid specified practises, of "racketeering" or "job-selling" and unjustifiable strikes, are existant among any labor unions or unions in any industry, business, or individual endeavor which, directly or indirectly, effects the national defense program in the State of Texas; and

Be it further resolved, That such Committee for the Investigation of Labor Unions and Practises shall meet immediately upon appointment by the Speaker; that the duty of said Committee shall be to speedily and effectively conduct an investigation of labor unions, by public hearing and/or such other methods as may be deemed proper and most productive of the information sought; that such committee shall be vested with all such powers as may be necessary to the subpoena of persons, records, files, and other

information, the procurance of written and factual evidence, the examination of records, files, and documents of labor unions, its officers and members; and that said committee, in addition to conducting such investigation, shall report back to the House of Representatives by not later than thirty (30) days after appointment by the Speaker and shall recommend such proper legislation as, based upon the findings of their investigation, will correct any improper and unfair practises as are found, if such unfair practises are found to exist; and

Be it further resolved, That in the event no unfair practises as designated are found to exist within the labor unions of this State, that said committee shall so report to the Legislature in order that Labor within this State, if it so deserves in this respect, shall be freed of any further rumor or charge that, by unjustifiable and unreasonable conduct, it is attempting to hinder, delay, or disrupt, the National Defense Program in Texas; and lastly,

Be it further resolved, That it is the expression and belief of this Legislature that in this period when our democratic institutions and way of life is at trial for its existence, that instead of accusations, charges and controversies between employer and employee and any other classes of individuals, that every person within these United States, in that spirit of cooperation, justice, and reasonableness which fostered the birth of this, the finest and greatest of Nations, should put forth our every effort for the preservation of such Nation.

The resolution was read second time.

Mr. Howington raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Lowry moved that the time for the consideration of resolutions be extended until above resolution is disposed of.

Mr. Hughes moved to table the motion by Mr. Lowry.

The motion to table was lost.

Question then recurring on the motion by Mr. Lowry that the time allotted for the consideration of resolutions be extended until the above resolution is disposed of, it prevailed by the following vote:

## Yeas—75

Allen	Lock
Allison	Lowry
Alsup	Lyle
Anderson	McCann
Avant	McLellan
Bailey	McMurry
Bruhl	Manning
Burkett	Markle
Burnaman	Martin
Carlton	Mills
Cato	Montgomery
Coker	Morgan
Colson, Mrs.	Morris
Craig	Morse
Crosthwait	Pevehouse
Dickson of Bexar	Phillips
Dickson of Nolan	Price
Donald	Roark
Dove	Roberts
Duckett	Sallas
Eubank	Sharpe
Evans	Shell
Favors	Simpson
Gandy	Smith of Bastrop
Halsey	Spacek
Harris of Dallas	Spangler
Harris of Hill	Stanford
Heflin	Stinson
Hileman	Taylor
Hobbs	Thornton
Hoyo	Turner
Humphrey	Voigt
Hutchinson	Walters
Kersey	Wattner
Klingeman	Weatherford
Lehman	White
Leyendecker	Winfree
Little	

## Nays—37

Baker	Cleveland
Benton	Ellis
Boone	Ferguson
Brawner	Fitzgerald
Bullock	Goodman
Bundy	Helpinstill
Chambers	Henderson
Clark	Howington

Huffman  
Hughes  
Isaacks  
Jones  
Kennedy  
King  
Knight  
Lansberry  
Love  
Lucas  
Matthews

Moore  
Murray  
Pace  
Parker  
Rampy  
Reed of Bowie  
Reed of Dallas  
Senterfitt  
Smith of Atascosa  
Stubbs

## Absent

Bean	Hanna
Bell	Hargis
Blankenship	Hartzog
Bridgers	Howard
Brown	Huddleston
Carrington	Kelly
Celaya	Kinard
Crossley	McAlister
Daniel	McDonald
Davis	McNamara
Deen	Manford
Files	Nicholson
Fuchs	Rhodes
Garland	Skiles
Gilmer	Vale

## Absent—Excused

Bray	McGlasson
Connelly	Ridgeway
Dwyer	Whitesides
Hardeman	

Mr. Smith of Atascosa moved that the resolution be referred to the Committee on State Affairs.

Mr. Ellis raised a point of order on further consideration of the resolution, on the ground that it is not within the jurisdiction of the Legislature to investigate labor unions.

The Speaker overruled the point of order.

On motion of Mr. Lowry, the motion by Mr. Smith of Atascosa to refer the resolution to the Committee on State Affairs was tabled.

Mr. Morse offered the following amendment to the resolution:

Amend the resolution by providing that \$500 be appropriated out of contingent expense fund to pay expenses of the committee.

MORSE,  
LOWRY.

The amendment was adopted.

Mr. Smith of Atascosa offered the following amendment to the resolution:

Amend House Simple Resolution No. 167 to provide 60 days instead of 30 days.

The amendment was adopted.

Question then recurring on the resolution by Mr. Lowry, as amended, it was adopted.

Mr. Lowry moved to reconsider the vote by which the resolution, as amended, was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### SUSPENDING CERTAIN JOINT RULES

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 34, Suspending Certain Joint Rules.

Be it resolved by the Senate of Texas, the House of Representatives concurring, That Joint Rule No. 20 be suspended to permit the Senate to consider Senate Bills Nos. 43 and 398 on Wednesday and Thursday, March 26 and 27, 1941.

The resolution was read second time.

Mr. Bundy offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 34 by adding Senate Bill No. 398 to the list of Senate Bills approved for consideration today.

The amendment was adopted.

The resolution, as amended, was then adopted by the following vote:

Yeas—120

Allen	Bruhl
Allison	Bundy
Alsup	Burkett
Avant	Burnaman
Bailey	Carlton
Baker	Carrington
Bell	Cato
Benton	Celaya
Brawner	Chambers
Bray	Clark
Bridgers	Cleveland
Brown	Coker

Colson, Mrs.	Lyle
Craig	McAlister
Crosthwait	McCann
Deen	McLellan
Dickson of Bexar	McMurry
Dickson of Nolan	McNamara
Donald	Manford
Dove	Manning
Duckett	Markle
Ellis	Martin
Eubank	Matthews
Favors	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morgan
Gandy	Morris
Garland	Morse
Halsey	Murray
Hanna	Nicholson
Hargis	Pace
Harris of Dallas	Parker
Hartzog	Phillips
Helpinstill	Price
Henderson	Rampy
Hileman	Reed of Dallas
Hobbs	Roark
Howard	Roberts
Howington	Sallas
Hoyo	Senterfitt
Huddleston	Sharpe
Huffman	Shell
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Isaacks	Smith of Atascosa
Jones	Spacek
Kennedy	Spangler
Kersey	Stanford
Kinard	Stinson
King	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Voigt
Lehman	Walters
Leyendecker	Wattner
Little	Weatherford
Lock	White
Love	Winfree
Lucas	

#### Absent

Anderson	Goodman
Bean	Harris of Hill
Blankenship	Heflin
Boone	Kelly
Bullock	Lowry
Crossley	McDonald
Daniel	Pevehouse
Davis	Reed of Bowie
Evans	Rhodes
Fuchs	Stubbs
Gilmer	Vale



## Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

## HOUSE CONCURRENT RESOLUTION NO. 78 WITH SENATE AMENDMENTS

Mr. Parker called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 78, Authorizing the loan of certain highway equipment.

Mr. Parker moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two houses on the resolution.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Concurrent Resolution No. 78:

Messrs. Parker, Chambers, Harde-  
man, Rampy and Bailey.

## PROVIDING FOR THE CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Crossley offered the following resolution:

H. S. R. No. 170, Providing for the Consideration of Local and Uncontested Bills.

Whereas, Numerous local bills and general bills with local application are now pending in the House of Representatives and have been passed on as such by the "Local and Uncontested Bill Committee"; now, therefore, be it

Resolved by the House of Representatives, That a session of the House be held Thursday night at seven o'clock, March 27, 1941, for the consideration of such local and general bills with local application and uncontested bills, and that the "Local and Uncontested Bill Committee" be authorized and directed to prepare a calendar for said session.

The resolution was read second time and was adopted.

## EXTENDING CONGRATULATIONS OF THE LEGISLATURE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 35, Extending Congratulations of the Legislature to the State of Vermont.

Whereas, One hundred and fifty years ago, on the fourth day of March, 1791, Vermont was admitted to the Union of States; and

Whereas, Prior to its admission it had for fourteen years asserted its independence and exercised the prerogatives of a complete and self-sustaining sovereignty; and

Whereas, Texas for almost ten years prior to its admission as a State was similarly constituted as a republic and was in all respects an independent commonwealth, as was Vermont; and

Whereas, We are mindful of the genuine contribution that Vermont has made to the upbuilding and maintenance of the fundamental principles of government; now therefore, be it

Resolved by the Senate, the House of Representatives concurring, That we extend congratulations to the Governor and the Legislature of Vermont and to the people of the State upon the occasion of the celebration of the sesquicentennial anniversary of its admission to the Union.

The resolution was read second time and was adopted.

## ADOPTING JOINT RULES OF THE HOUSE AND SENATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 11, Providing for Joint Rules of the House and Senate.

The resolution having heretofore been read second time and referred to the Committee on Rules.

The Committee on Rules having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

## Yeas—121

Allen	Kinard
Allison	King
Alsup	Klingeman
Avant	Knight
Bailey	Lansberry
Baker	Lehman
Bell	Leyendecker
Benton	Little
Blankenship	Lock
Bray	Love
Bridgers	Lucas
Bundy	Lyle
Burnaman	McAlister
Carlton	McCann
Carrington	McMurry
Cato	McNamara
Celaya	Manford
Clark	Manning
Coker	Markle
Colson, Mrs.	Martin
Craig	Matthews
Crossley	Mills
Crosthwait	Montgomery
Daniel	Moore
Deen	Morgan
Dickson of Bexar	Morris
Dickson of Nolan	Morse
Donald	Murray
Dove	Pace
Duckett	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Ferguson	Rampy
Files	Reed of Bowie
Fitzgerald	Reed of Dallas
Fuchs	Roark
Gandy	Roberts
Garland	Rhodes
Gilmer	Sallas
Hanna	Senterfitt
Hargis	Sharpe
Harris of Hill	Shell
Hartzog	Simpton
Heflin	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Hobbs	Stanford
Howington	Stinson
Hoyo	Stubbs
Huddleston	Taylor
Huffman	Thornton
Hughes	Turner
Humphrey	Vale
Hutchinson	Voigt
Isaacks	Walters
Jones	Wattner
Kelly	Weatherford
Kennedy	Winfree
Kersey	

## Absent

Anderson	Favors
Bean	Goodman
Boone	Halsey
Brawner	Harris of Dallas
Brown	Howard
Bruhl	Lowry
Bullock	McDonald
Burkett	McLellan
Chambers	Nicholson
Cleveland	Spangler
Davis	White

## Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

RELATIVE TO SUPPLEMENTAL  
SCHOOL CENSUS

Mr. Chambers offered the following resolution:

H. C. R. No. 80, Relative to Supplemental School Census.

Whereas, Senate Bill 42, authorizing supplemental school census to be taken in areas affected by unusual increases due to defense industries, has passed both Houses of the Legislature and has been approved by the Governor; and

Whereas, The date for filing applications for participation in the provisions of this Act was fixed at March 15, 1941; and

Whereas, There were a few districts in this State whose populations have been clearly increased by reason of defense projects and whose applications have been received by the Department of Education subsequent to the date named in the Act by which districts should be entitled to receive the benefits thereunder.

Now, therefore, be it resolved by the House of Representatives, the Senate concurring, That the Department of Education be required to receive the applications which have been filed prior to April 1, 1941, for consideration thereunder.

CHAMBERS,  
SENTERFITT.

The resolution was read second time and was adopted.

HOUSE BILL NO. 567 ON SECOND  
READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 567, A bill to be entitled "An Act making emergency supplementary appropriations for the support and maintenance of the Texas Liquor Control Board for the fiscal year ending August 31, 1941; for the payment of refund claims filed under the provisions of the Texas Liquor Control Act; providing regulations and restrictions in respect to the appropriations made herein, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 567 ON THIRD  
READING

Mr. Celaya moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 567 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Allen	Donald
Alsup	Dove
Avant	Duckett
Bailey	Ellis
Baker	Eubank
Bell	Evans
Blankenship	Ferguson
Bray	Files
Bridgers	Fitzgerald
Bruhl	Fuchs
Bullock	Gandy
Bundy	Garland
Burnaman	Gilmer
Carlton	Halsey
Carrington	Hanna
Cato	Hargis
Celaya	Harris of Dallas
Clark	Harris of Hill
Cleveland	Hartzog
Coker	Heflin
Crossley	Helpinstill
Daniel	Henderson
Deen	Hobbs
Dickson of Bexar	Hoyo
Dickson of Nolan	Huddleston

Huffman	Nicholson
Hughes	Pace
Hutchinson	Parker
Isaacks	Phillips
Kelly	Price
Kennedy	Reed of Bowie
Kersey	Reed of Dallas
Kinard	Roberts
Klingeman	Rhodes
Knight	Sallas
Lansberry	Senterfitt
Lehman	Sharpe
Leyendecker	Shell
Little	Smith of Bastrop
Lock	Smith of Atascosa
Lucas	Spacek
Lyle	Spangler
McDonald	Stanford
McMurry	Stinson
McNamara	Taylor
Manford	Turner
Manning	Vale
Markle	Voigt
Martin	Walters
Matthews	Wattner
Mills	Weatherford
Moore	White
Morris	Winfree
Morse	

Nays—18

Allison	Love
Benton	Lowry
Brawner	McCann
Craig	McLellan
Davis	Pevehouse
Favors	Rampy
Howington	Simpson
Jones	Stubbs
King	Thornton

Present—Not Voting

Hileman

Absent

Anderson	Howard
Bean	Humphrey
Boone	McAlister
Brown	Montgomery
Burkett	Morgan
Chambers	Murray
Colson, Mrs.	Roark
Crosthwait	Skiles
Goodman	

Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

The Speaker then laid House Bill No. 567 before the House, on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—101

Allen	Kennedy
Alsup	Kersey
Avant	Kinard
Bailey	Klingeman
Baker	Knight
Bell	Lehman
Benton	Leyendecker
Bridgers	Little
Brown	Lock
Bullock	Lucas
Bundy	Lyle
Burnaman	McCann
Carlton	McDonald
Carrington	McMurry
Cato	McNamara
Celaya	Manford
Clark	Manning
Cleveland	Markle
Crossley	Matthews
Crosthwait	Mills
Daniel	Montgomery
Dickson of Bexar	Moore
Dickson of Nolan	Morris
Donald	Morse
Dove	Nicholson
Duckett	Pace
Ellis	Parker
Eubank	Phillips
Evans	Price
Favors	Reed of Bowie
Ferguson	Reed of Dallas
Files	Roberts
Fitzgerald	Rhodes
Fuchs	Sallas
Gilmer	Sharpe
Hanna	Shell
Hargis	Skiles
Harris of Dallas	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Hartzog	Spacek
Heflin	Spangler
Helpinstill	Stanford
Henderson	Taylor
Hileman	Turner
Hobbs	Vale
Hoyo	Walters
Huddleston	Wattner
Hughes	Weatherford
Hutchinson	White
Isaacks	Winfree
Kelly	

## Nays—21

Allison	Halsey
Brawner	Howington
Bray	Jones
Burkett	King
Craig	Love
Davis	Lowry

Martin	Simpson
Murray	Stubbs
Pevehouse	Thornton
Rampy	Voigt
Senterfitt	

## Absent

Anderson	Goodman
Bean	Howard
Blankenship	Huffman
Boone	Humphrey
Bruhl	Lansberry
Chambers	McAlister
Coker	McLellan
Colson, Mrs.	Morgan
Deen	Roark
Gandy	Stinson
Garland	

## Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

## SENATE BILL NO. 212 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 212, A bill to be entitled "An Act authorizing any banking corporation selected as the depository for county funds or as the depository for the funds of any school district in Texas, etc., and declaring an emergency."

The bill was read third time.

Mr. Lyle offered the following amendment to the bill:

To amend Senate Bill No. 212 by placing a semi-colon after "funds" on page 2, line 5, and adding:

"Provided, however, this privilege shall cease and be null and void whenever the deficit in the general fund shall exceed thirty million dollars."

On motion of Mr. McDonald, the amendment was tabled.

Mr. Harris of Hill offered the following amendment to the bill:

Amend Senate Bill No. 212, page 2, line 2, by inserting between the words, "Texas" and "as" the following:

"At market value."

HARRIS of Hill,  
ISAACKS.

(Mr. Kersey in the Chair.)

On motion of Mr. McDonald, the amendment was tabled.

Mr. Taylor offered the following amendment to the bill:

To amend Senate Bill No. 212 by placing a semi-colon after funds on page 2, line 5, and adding:

"Provided, however, this privilege shall cease and be null and void whenever the deficit in the general fund shall exceed Forty Million Dollars."

Mr. McDonald moved to table the amendment.

The motion to table was lost.

Question then recurring on the amendment by Mr. Taylor, it was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—81

Allen	Harris of Hill
Allison	Hartzog
Bailey	Helpinstill
Bean	Hileman
Bell	Hobbs
Benton	Howard
Blankenship	Hoyo
Brawner	Hughes
Bray	Humphrey
Bundy	Isaacks
Burkett	Jones
Carlton	Kinard
Cato	King
Chambers	Klingeman
Clark	Lansberry
Coker	Leyendecker
Craig	Lyle
Crossley	McAlister
Crosthwait	McCann
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manning
Dickson of Nolan	Markle
Donald	Martin
Dove	Mills
Duckett	Morgan
Dwyer	Morris
Eubank	Pace
Evans	Parker
Favors	Pevehouse
Fitzgerald	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Rhodes
Garland	Senterfitt
Hanna	Shell
Hargis	Smith of Atascosa

Spacek  
Spangler  
Stinson  
Stubbs  
Taylor

Thornton  
Voigt  
Walters  
Weatherford

Nays—54

Alsup	Little
Avant	Lock
Baker	Love
Boone	Lowry
Brown	Lucas
Bruhl	McDonald
Bullock	McLellan
Burnaman	Manford
Carrington	Matthews
Celaya	Montgomery
Cleveland	Moore
Daniel	Morse
Ellis	Murray
Ferguson	Phillips
Files	Price
Gilmer	Rampy
Goodman	Roberts
Halsey	Sallas
Harris of Dallas	Simpson
Heflin	Skiles
Henderson	Smith of Bastrop
Howington	Stanford
Huddleston	Turner
Hutchinson	Vale
Kennedy	Wattner
Knight	White
Lehman	Winfree

Absent

Anderson	Kersey
Bridgers	Nicholson
Colson, Mrs.	Roark
Huffman	Sharpe
Kelly	

Absent—Excused

Connelly	Ridgeway
Hardeman	Whitesides
McGlasson	

(Speaker in the Chair.)

Mr. Taylor offered the following amendment to the bill:

To amend Senate Bill No. 212 by placing a semi-colon after funds on page 2, line 5, and adding:

"Provided, however, this privilege shall cease and be null and void whenever the deficit in the general fund shall exceed forty-two million dollars."

The amendment was unanimously adopted.

Senate Bill No. 212 was then passed by the following vote:

## Yeas—105

Alsup	Klingeman
Avant	Knight
Baker	Lehman
Bean	Leyendecker
Bell	Little
Blankenship	Lock
Boone	Love
Brawner	Lowry
Bridgers	Lucas
Brown	Lyle
Bruhl	McAlister
Bullock	McDonald
Bundy	McLellan
Burkett	McMurry
Burnaman	McNamara
Carlton	Manford
Carrington	Markle
Cato	Martin
Celaya	Matthews
Clark	Mills
Cleveland	Montgomery
Colson, Mrs.	Moore
Crossley	Morse
Daniel	Murray
Davis	Pace
Dickson of Bexar	Parker
Donald	Phillips
Dove	Price
Duckett	Rampy
Ellis	Reed of Bowie
Ferguson	Reed of Dallas
Files	Roberts
Fuchs	Rhodes
Gandy	Sallas
Garland	Senterfitt
Gilmer	Sharpe
Goodman	Simpson
Halsey	Skiles
Hanna	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Hartzog	Spacek
Helpinstill	Spangler
Henderson	Stanford
Howard	Stinson
Huddleston	Stubbs
Huffman	Taylor
Humphrey	Thornton
Hutchinson	Turner
Isaacks	Vale
Jones	Wattner
Kelly	White
Kennedy	Winfree
Kersey	

## Nays—28

Allen	Bailey
Allison	Benton

Bray	Harris of Hill
Chambers	Hileman
Coker	Hobbs
Craig	Howington
Crosthwait	Hughes
Deen	King
Dickson of Nolan	Lansberry
Eubank	McCann
Evans	Morgan
Favors	Pevehouse
Fitzgerald	Walters
Hargis	Weatherford

## Absent

Anderson	Morris
Heflin	Nicholson
Hoyo	Roark
Kinard	Shell
Manning	Voigt

## Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

Mr. McDonald moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

(Mr. Kersey in the Chair.)

COMMUNICATION ORDERED  
PRINTED

On motion of Mr. Morris, the following communication was ordered printed in the Journal:

In this tragic time when the din of war rings in the ears of all of us and the hearts of all are heavy and we are called upon to use our every effort to strengthen our National Defense and give every aid to other democracies, Texans are particularly fortunate in having been so magnificently endowed with natural resources, greater than those of any other of these, our United States.

We are especially grateful to the House Members of the 47th Legislature who passed so promptly the Omnibus Bill, increasing taxes on our natural resources.

Be it therefore resolved, That the House Members of the 47th Legislature be thanked for their prompt action in passing this Omnibus Bill—House Bill No. 8.

Be it resolved, That we petition the Members of the Senate and the Honorable Governor of Texas, W. Lee O'Daniel, who have not yet acted upon this bill, that they speedily pass and sign the Omnibus Bill—House Bill No. 8—and render this service to Texans.

MRS. JUD COLLIER, Chairman,  
Woman's Committee on Economic Policy for Texas.

MARJORIE READING, Sec.-Treas.  
also representing Texas Homemakers.

On motion of Mr. Morris, the House of Representatives gave a rising vote of thanks to the delegates occupying seats in the balcony, for their presence.

(Speaker in the Chair.)

#### MESSAGE FROM THE SENATE

Austin, Texas, March 26, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill No. 70 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Moffett, Van Zandt, Lemens, Vick, Beck.

Passed

H. B. No. 84, A bill to be entitled "An Act creating the 94th Judicial District Court for Nueces County, etc., and declaring an emergency." (With amendments.)

H. B. No. 323, A bill to be entitled "An Act providing that it shall be unlawful for any person, firm, partnership, association, or corporation to sell or offer for sale within the State of Texas any goods, wares, or merchandise manufactured wholly or in part by convicts or prisoners in penal and reformatory institutions, etc., and declaring an emergency." (With amendments.)

H. B. No. 369, A bill to be entitled "An Act fixing the salaries and trav-

eling expenses for county commissioners in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants, etc., and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### HOUSE BILL NO. 84 WITH SENATE AMENDMENTS

Mr. Lyle called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 84, A bill to be entitled "An Act creating the 94th Judicial District Court for Nueces County; defining its jurisdiction; adjusting the business of the 28th District Court of Nueces County and the 117th District Court of Nueces County with the court created hereby; prescribing the duties of the District Clerk with respect thereto; and declaring an emergency."

On motion of Mr. Lyle, the House concurred in the Senate amendments by the following vote:

Yeas—132

Allen	Craig
Allison	Crossley
Alsup	Crosthwait
Avant	Daniel
Bailey	Davis
Baker	Deen
Bean	Dickson of Bexar
Bell	Dickson of Nolan
Benton	Donald
Boone	Dove
Bray	Duckett
Brown	Ellis
Bruhl	Eubank
Bullock	Evans
Bundy	Favors
Burkett	Ferguson
Burnaman	Files
Carlton	Fitzgerald
Carrington	Fuchs
Cato	Gandy
Celaya	Garland
Chambers	Gilmer
Clark	Goodman
Cleveland	Halsey
Coker	Hanna
Colson, Mrs.	Hargis

Harris of Dallas	Matthews
Harris of Hill	Mills
Hartzog	Montgomery
Helpinstill	Moore
Henderson	Morgan
Hileman	Morris
Hobbs	Morse
Howard	Murray
Howington	Pace
Huddleston	Parker
Huffman	Pevehouse
Hughes	Phillips
Humphrey	Price
Hutchinson	Rampy
Isaacks	Reed of Bowie
Jones	Reed of Dallas
Kelly	Roark
Kennedy	Roberts
Kersey	Rhodes
Kinard	Sallas
King	Senterfitt
Klingeman	Sharpe
Knight	Simpson
Lansberry	Skiles
Lehman	Smith of Bastrop
Leyendecker	Smith of Atascosa
Little	Spacek
Lock	Spangler
Love	Stanford
Lowry	Stinson
Lucas	Stubbs
Lyle	Taylor
McCann	Thornton
McDonald	Turner
McLellan	Vale
McMurry	Walters
McNamara	Wattner
Manford	Weatherford
Markle	White
Martin	Winfree

## Absent

Anderson	McAlister
Blankenship	Manning
Brawner	Nicholson
Bridgers	Shell
Heflin	Voigt
Hoyo	

## Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

HOUSE BILL NO. 369 WITH  
SENATE AMENDMENTS

Mr. Bell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 369, A bill to be entitled "An Act fixing the salaries and traveling expenses for County Commissioners in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants, and declaring an emergency."

Mr. Bell moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 369:

Messrs. Bell, Hartzog, Morris, Lyle and Skiles.

HOUSE BILL NO. 323 WITH  
SENATE AMENDMENTS

Mr. Harris of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 323, A bill to be entitled "An Act providing that it shall be unlawful for any person, firm, partnership, association, or corporation to sell or offer for sale within the State of Texas any goods, wares or merchandise manufactured wholly or in part by convicts or prisoners in penal and reformatory institutions, except convicts or prisoners on parole or probation; providing exemptions, and penalties for the violation hereof; and declaring an emergency."

On motion of Mr. Harris of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—127

Allen	Bell
Allison	Benton
Alsup	Blankenship
Avant	Boone
Bailey	Bray
Baker	Bridgers
Bean	Brown



Bullock	Lansberry
Bundy	Lehman
Burkett	Leyendecker
Burnaman	Little
Carlton	Lock
Carrington	Love
Cato	Lowry
Celaya	Lucas
Chambers	Lyle
Clark	McCann
Cleveland	McLellan
Coker	McMurry
Colson, Mrs.	McNamara
Craig	Manford
Crosthwait	Markle
Daniel	Martin
Davis	Matthews
Deen	Mills
Dickson of Nolan	Montgomery
Donald	Moore
Dove	Morgan
Duckett	Morris
Ellis	Morse
Eubank	Murray
Evans	Pace
Favors	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Garland	Reed of Dallas
Gilmer	Roberts
Goodman	Rhodes
Halsey	Sallas
Hanna	Senterfitt
Hargis	Sharpe
Harris of Dallas	Shell
Harris of Hill	Simpson
Hartzog	Skiles
Helpinstill	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Spacek
Howington	Spangler
Huddleston	Stanford
Hughes	Stinson
Humphrey	Stubbs
Hutchinson	Taylor
Isaacks	Thornton
Jones	Turner
Kelly	Vale
Kennedy	Voigt
Kersey	Wattner
Kinard	Weatherford
King	White
Klingeman	Winfree
Knight	

Absent

Anderson	Crossley
Brawner	Dickson of Bexar
Bruhl	Heflin

Henderson	McDonald
Howard	Manning
Hoyo	Nicholson
Huffman	Roark
McAlister	Walters

Absent—Excused

Connelly	McGlasson
Dwyer	Ridgeway
Hardeman	Whitesides

SENATE BILL ON FIRST  
READING

The following Senate Bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 11, to the Committee on Insurance.

BILLS AND RESOLUTION SIGNED  
BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 5, "An Act defining Industrial Life Insurance; forbidding the delivery or issuance for delivery of any policy of Industrial Life Insurance, unless it shall contain certain provisions, and making said provisions subject to certain exceptions; etc., and declaring an emergency."

H. B. No. 183, "An Act to provide for and regulate the holding of run-off elections in cities and towns having a population in excess of two hundred thousand (200,000) inhabitants, according to the last preceding or any future Federal Census; providing that cities not using voting machines may adopt the preferential type ballot in lieu of the procedure set forth in this Act; repealing all laws, parts of law, charter provisions and ordinances in conflict herewith, and declaring an emergency."

H. C. R. No. 75, Authorizing the lending by State Highway Department of guard wire to Granbury Independent School District.

S. C. R. No. 11, Providing for Joint Rules of the House and Senate.

S. C. R. No. 34, Suspending certain Joint Rules.

REMARKS OR THE HONORABLE  
ENNIS FAVORS

On motion of Mr. Simpson, the following remarks of Honorable Ennis Favors, in addressing the House on personal privilege, were ordered printed in the Journal:

"Now my only purpose at this time is to make a few observations and suggestions for those of us whose political vision has become dimmed, befogged and clouded during the past few weeks. Now, it is easy when two roads run parallel, both equally suited for travel, to take the left road rather than the right road. It is also true that many a candidate has been defeated simply because he couldn't remain calm and cool, and was caught off-guard by his opponent in the heat of battle. We must face the facts and realize that Governor O'Daniel is a friend of more than half of the people of Texas,—and that he stands head and shoulders above the average holder of high office, and this is admitted by his enemies, who spend hours each day searching for his errors and who continually lie in wait to capitalize on his most insignificant short-coming. He is frequently accused of being wrong, but never of being insincere. A majority of the people in Texas are convinced this man was a Godsend to them, and that they had almost lost control of their State Government at the time they chose him as their Chief Executive.

We must not lose sight of the fact that the same people who elected Governor O'Daniel, elected us, and that he is the first Governor of Texas who has taken time out each Sunday morning to tell the folks back home what is going on in their State Capitol. He has pleased the people of Texas during a first term, and thus far during his second term, and God only knows how many more terms.

When the people of Texas elected Governor O'Daniel as their leader, they also intended for him to chart the course for the Legislature—this he has done—and we have rebelled, not one single General Law bearing

his stamp of approval has been passed by this House. Allow me to say here and now that the day for answer and explanation is not far in the future, something like a year from now, and when this time comes for you to give your answer and explanation to the folks back home, the voice of W. Lee O'Daniel blended with mountain music is going to muffle and drown out a large part and portion of whatever answer or explanation you may offer,—your people will have their attentive ear turned toward your opponent who will be promising full co-operation with their Governor, if and when elected. I frankly believe Governor O'Daniel ordinarily would have retired and gone back to private life at the end of this term, except for the action of this House in failing to pass H. B. No. 322, which has and will result in forcing and compelling him to run for a third term, and has and will result in his election for another term. The Governor's office is not big enough to hold the cards and letters that are on the way and bound to come in the next few months, all praising the Governor for his fight in behalf of Social Security, and it is reasonable to believe that most of these cards and letters will carry some sort of condemnation of this House, and with this thought in mind, I say that W. Lee O'Daniel, or no other man in his position, could resist running for Governor again. The issue is clearly drawn and outstanding by our failure to pass H. B. 322. It is doubtful that he will have an opponent, and to my mind preposterous to think he will be defeated.

This House still has time during the remaining days of this session to redeem itself, and raise its prestige in the eyes of the public from the hang-over of last session, and God forbid if the old folks, dependent children, blind and retired teachers are not paid during this session of the Texas Legislature—and in closing let me say, that you who may possibly think, and this I am not passing judgment upon, that defeat after defeat of the Governor's bills here in the House will cast him into political oblivion, are doomed for sad and shocking disappointment, and these defeats are merely over-

hauling, preparing, and reconditioning the old bus, which bears the Capitol Dome, that will carry W. Lee O'Daniel and his string band around over Texas for another political victory."

ENNIS FAVORS.

#### ADJOURNMENT

Mr. Isaacks moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Kersey moved that the House recess until 2:30 o'clock p. m. today.

The motion to adjourn prevailed and the House accordingly at 12:30 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

Public Lands and Buildings: H. B. No. 506.

Education: S. B. No. 147.

Conservation and Reclamation: H. B. No. 745.

Municipal and Private Corporations: H. B. Nos. 784 and 812.

Counties: H. B. No. 811.

Revenue and Taxation: H. B. No. 628.

Criminal Jurisprudence: H. B. Nos. 32 and 118.

Rules: S. C. R. No. 11.

State Affairs: H. B. Nos 33 and 189.

Highways and Motor Traffic: H. B. Nos. 709 and 791.

The Committee on Highways and Motor Traffic filed adverse reports on H. B. Nos. 390 and 763.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, March 25, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 16, Proposing that the Constitution of the State of Texas be amended by adding a new Section to Article 16, to be known as Section 30b, relating to all elective State, District, County, and Precinct officers of the State of Texas, providing for an election on the question of adoption, or rejection, of said amendment and making an appropriation therefor.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, March 21, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 5, "An Act defining industrial life insurance; forbidding the delivery or issuance for delivery of any policy of industrial life insurance, unless it shall contain certain provisions, and making said provisions subject to certain exceptions; securing to insureds and beneficiaries under policies previously issued, the right to select, under certain circumstances, extended or paid-up insurance and providing for the automatic selection of extended insurance in the event such insureds or beneficiaries fail to make a selection; designating additional optional provisions to be contained in policies of industrial life insurance; forbidding the inclusion of certain provisions in industrial life insurance policies; requiring approval of the Board of Insurance Commissioners of all policies of industrial life insurance including such policies which provide for accident and health benefits in addition to natural death benefits, and all riders and endorsements before same can be delivered or issued for delivery; requiring written notice in case of disapproval of any policy, rider, or endorsement; providing for an appeal from the decision of the Board; exempting local mutual aid associations and state-wide mutual life, health, and accident companies, burial associations, and orders, societies, associations, or labor organi-

zations which admit to membership only persons engaged in one or more crafts or hazardous occupations in the same or similar lines of business and who do not operate for profit; exempting ladies societies or ladies auxiliaries to such orders, societies, associations, or exempting fraternal orders, associations, and societies; providing that this Act and no other shall apply to and govern the form and content of industrial life insurance policies issued by all other companies; providing that upon proper showing to the Board of Insurance Commissioners of inability of an insurer to comply with this Act immediately upon the same becoming effective, such insurer may at the discretion of Board have sixty (60) days from and after the effective date of this Act in which to make full compliance with its provisions; providing for the severability of the provisions of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, March 26, 1941.  
Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 183, "An Act to provide for and regulate the holding of run-

off elections in cities and towns having a population in excess of two hundred thousand (200,000) inhabitants, according to the last preceding or any future Federal Census; providing that cities not using voting machines may adopt the preferential type ballot in lieu of the procedure set forth in this Act; repealing all laws, parts of laws, charter provisions, and ordinances in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, March 25, 1941.  
Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 79, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 230.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

March 26, 1941

House Bill No. 5.

House Bill No. 183.

House Concurrent Resolution No. 79.

## In Memory of Mrs. J. A. Merritt

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Mr. Bullock offered the following resolution:

H. S. R. No. 165, In Memory of Mrs. J. A. Merritt.

Whereas, The House has learned with regret of the death of Mrs. J. A. Merritt, wife of a former beloved Member, Honorable J. A. Merritt; and

Whereas, During the four terms that the Honorable J. A. Merritt was a Member from the One Hundred and Eighteenth District in the Thirty-eighth, Thirty-ninth, Fortieth, and Forty-third Legislatures, she participated in the various activities accorded the Members and their families and her every act and walk in life radiated sunshine and pleasant association; and

Whereas, Mrs. J. A. Merritt was an honored and valuable citizen of her community and her death is a distinct loss to her county and State; now, therefore, be it

Resolved, by the House of Representatives, That the Members thereof regret exceedingly the untimely passing of this worthy woman and deeply sympathize with her bereaved family; and be it further

Resolved, That a copy of this resolution be spread on the pages of the House Journal of today in memory of the deceased; and be it further

Resolved, That when the House adjourns today that it do so in respect to and in memory of Mrs. J. A. Merritt; and that the Chief Clerk of the House send to the family of the deceased a copy of this resolution under the Seal of the House of Representatives.

BULLOCK,  
BURKETT,  
ALSUP.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bundy, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Ramps, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. McAlister, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

**In Memory of**  
**Mrs. John C. Townes, Jr.**

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Mr. Morse offered the following resolution:

H. S. R. No. 169, In Memory of Mrs. John C. Townes, Jr.

Whereas, On Saturday, March 22, 1941, Mrs. John C. Townes, Jr., the wife of Major John C. Townes, Jr., one of the outstanding citizens of Texas, and the sister of our beloved colleague, Hon. Donald Markle, a Member of this House, died in the City of Houston; and

Whereas, Mrs. Townes was for a number of years prominent and active in civic, religious, and social matters in the City of Houston and throughout the State and was much beloved by all who knew her; and

Whereas, She is survived by her husband, her three daughters, and by several sisters and brothers; and

Whereas, The Members of the House of Representatives of the State of Texas deeply sympathize with her bereaved husband, her children and her relatives and is desirous of a modest expression of that sympathy;

Now, therefore, be it resolved, That we deeply sympathize with Major Townes and those others named in their great and irreparable grief and express for them a consolation in that religious faith that she followed and exemplified throughout her life.

Be it further resolved, That this resolution be printed in the House Journal of this Legislature on this date, and that the Chief Clerk of the House furnish copies of this resolution to the members of Mrs. Townes' family.

MORSE,  
BROWN,

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Brown, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.